

ELECTION

Subject to the traversal discussed below, Applicant elects the claims of GROUP I, (claims 1-4 and new claim 18) to be maintained in this application for continued examination.

All rights to the non-elected subject matter are reserved.

REMARKS

1. Amendment of Claims

Claim 1 has been amended by the removal of section (b), and section (b) has been formulated as new claim 18. Moreover, claim 1 has been amended by the replacement of the term "call" with telecommunication which is consistent with the terminology used in section (a) of claim 1 as originally-filed.

Claim 5 has been made dependent from claim 1, and thus claims 6 and 7, which directly depend from claim 5, have been made dependent from claim 1. Similarly, claims 8 and 12 have been made dependent from claim 1 and thus claims 9-11, which depend directly from claim 8, and claims 13-15, which depend directly from claim 12, are now dependent from claim 1. Claim 16 has also been made dependent from claim 1 and claim 17, which depends from claim 16, is also now dependent from claim 1.

Support for the various communication methods recited in claims 5-17 in combination with the basic method of claim 1 is found in the specification on page 2, lines 15-25. More specifically, the specification discloses that the simple method for raising funds, as recited in claim 1, may be used through existing communication means such as wired or wireless telephony, debit or credit or cash card terminals or the Internet.

Acceptance of the amendment to claims 1-17 and new claim 18 is respectfully requested in the next Office communication.

2. Traversal of restriction requirement in view of amendment of claims

In the amendment of the claims, the different communication means recited in claims 5, 8, 12 and 16 have been made dependent from the basic method of claim 1. As recited in paragraph (a), claim 1 requires providing an operational fixed or wireless telephone or similar telecommunication connection connecting any incoming telecommunication through the services of a selected data processing entity with a specific receiver. Moreover, each of the pending claims of the application include the limitation of claim 1 in paragraph (c) wherein "the data processing facility or entity that the price of the incoming telecommunication charged to the originator of the incoming telecommunication consists of a part representing the operational costs of said data processing entity and another part representing an action-specific amount to be forwarded by said data processing entity to a receiver of the telecommunication."

With the removal of paragraph (b) from originally-filed claim 1, claim 1 no longer excludes the different communication means in claims 5, 8, 12 and 16, and by using the term "telecommunication" in paragraph (c) of claim 1, the method of claim 1 may be implemented using a variety of communication means, such as those described more specifically in claims 5, 8, 12 and 16.

In view of the amendment of claims 5-17 to depend from claim 1, it is submitted that claims 5-17 are no longer individually distinct subcombinations of claim 1; the method steps of claims 5-17 cannot be accomplished without first performing the steps recited in claim 1. The features of claims 5-17 flow from the basic claimed method of claim 1, and thus the details of claim 1 are essential to the patentability of claims 5-17. It is submitted that there is no evidence that claim 1 is patentable without the features of one of claims 5-17. In view of this observation,

and in accordance with MPEP 806.05(c), restriction should not be required since it is possible that claim 1 may be patentable only if combined with the features of one of the claims 5-17 since the features of one of claims 5-17 may constitute the essential distinguishing feature over the prior art.

Accordingly, in view of the amendment to the claims, it is submitted that maintenance of the restriction requirement is improper. Removal of the restriction requirement is therefore requested.

3. Conclusion

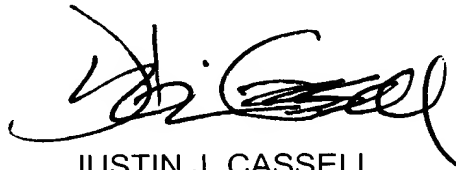
In view of the amendment of the pending claims, it is respectfully requested that the restriction requirement be removed and that claims 1-18 be allowed.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's Attorney, the Examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin J. Cassell', written over a horizontal line.

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